
**Technology, Energy &
Communications Committee**

HB 1037

Brief Description: Regarding electrical transmission.

Sponsors: Representatives Morris, Hudgins, Moeller and B. Sullivan.

Brief Summary of Bill

- Allows a person developing new transmission in excess of 115 kilovolts to seek site certification through the Energy Facility Site Evaluation Council (EFSEC).

Hearing Date: 1/10/07

Staff: Scott Richards (786-7156).

Background:

The Energy Facility Site Evaluation Council (EFSEC) was created in 1970 to provide one-stop licensing for large energy projects. Council membership includes mandatory representation from five state agencies and discretionary representation from four additional state agencies. The council's membership may include representatives from the particular city, county, or port district where potential projects may be located.

The EFSEC's jurisdiction includes the siting of large intrastate natural gas and petroleum pipelines, electric power plants above 350 megawatts, new oil refineries, large expansions of existing facilities, and underground natural gas storage fields. For electric power plants, EFSEC's jurisdiction extends to those associated facilities that include new transmission lines that operate in excess of 115 kilovolts and are necessary to connect the plant to the Northwest power grid. The EFSEC's jurisdiction includes the siting of electrical transmission facilities in excess of 115 kilovolts in national interest electric transmission corridors as designated by the United States Department of Energy or the Federal Energy Regulatory Commission under Section 1221 of the National Energy Policy Act. Developers of energy facilities that exclusively use alternative energy resources, regardless of the size of the facility's generation capacity, may choose to use the EFSEC process to site the facility.

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The EFSEC siting process generally involves six steps: (1) A potential site study followed by an application; (2) State Environmental Policy Act review; (3) review for consistency with applicable local land use laws and plans; (4) a formal adjudication on all issues related to the project; (5) certain air and water pollution discharge permitting reviews as delegated by the U.S. Environmental Protection Agency; and (6) a recommendation to the Governor who then decides whether to accept, reject, or remand the application. A certification agreement approved by the Governor preempts any other state or local regulation concerning the location, construction, and operational conditions of an energy facility.

Under the EFSEC process, the applicant is required to pay the costs of the council in processing an application.

Summary of Bill:

A person developing new transmission facilities or expanding or reconstructing existing transmission facilities that operate in excess of 115 kilovolts may choose to use the EFSEC process to obtain siting approval for the transmission facilities.

The definition of "transmission facility" is amended to include electrical transmission facilities or distribution lines and related equipment designated for or capable of operating at a nominal voltage in excess of 115 kilovolts.

Appropriation: None.

Fiscal Note: Requested on January 9, 2007.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.